

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAUN NOLDER,)
Petitioner,)
vs.) Civil Action No. 11-185
KENNETH R. CAMERON, THE) District Judge Nora Barry Fischer
ATTORNEY GENERAL OF THE STATE) Magistrate Judge Maureen P. Kelly
OF PENNSYLVANIA,)
Respondents.)

O R D E R

AND NOW, this 31st day of January, 2013, after the Petitioner, Shaun Nolder, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until January 24, 2013, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Amended Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus By a Person In State Custody [14], ("the Petition) is denied,

IT IS FURTHER ORDERED that a Certificate of Appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court,

at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

s/Nora Barry Fischer
NORA BARRY FISCHER
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Shaun C. Nolder
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All Counsel of Record by electronic filing